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COMMITTEE ON THE INTERNATIONAL
YEAR FOR HUMAN RIGHTS

DRAFT REPORT OF THE COMMITTEE ON THE INTERNATIONAL YEAR FOR HUMAN RIGHTS

Rapporteur: Mr. Michelangelo PISANI MASSAMORMILE (Italy)

6. A History of the Declaration (continued)

199. Replace paragraphs 79-83, document ST/SG/AC.5/L.3/Add.2 by the following:

79. Members of the Committee who favoured the Working Group's proposal expressed the view that the publication of a history of the Universal Declaration of Human Rights and other international instruments in the field of human rights should not merely commemorate the adoption of the Declaration but should also help to promote respect for human rights and fundamental freedoms. In their view, such a publicat would refer not only to progress achieved and current endeavours, but also to work remaining to be done in the field of human rights. They felt that an evaluation of that nature, in national and international terms, could only be effected throug a study prepared by experts.

80. Other members, however, expressed the opinion that the drafting of the proposed history could not be entrusted to experts, as their knowledge of man and of the world was frequently too bookish and impractical. These members, moreover, considered the proposal to prepare a history of the Universal Declaration of Human Rights to be premature, particularly in view of the intense constitutional activit which had occurred in recent years as various countries had achieved their independence. They felt that the proposed history was too ambitious in scope, and that it would cost too much to produce, publish and distribute.

81. In this connexion attention was drawn to the statement submitted by the Secretary-General on the financial implications of the Working Group's proposal (ST/SG/AC.5/5/Add.1, section I), in which the Secretary-General stated that the preparation of a history along the lines proposed by the Working Group would, in his view, call for value judgements with reference to the acceptance of the principles of the Declaration by Member States and their impact on the nationa legislation of such States. The Secretary-General wondered if it would not be mor appropriate for the task to be undertaken by one or several independent scholars, rather than by the Secretariat. As an alternative, the Secretary-General suggeste that a history of the preparation of the various articles of the Universal Declaration of Human Rights might be compiled, based entirely on the summary records of the preparatory bodies (the Commission on Human Rights, its Drafting Committee, the Economic and Social Council and the General Assembly), edited to eliminate references to purely procedural debates and elaborated, where necessary, to make the text understandable without reference to other documentation.

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82. While some members of the Committee welcomed the suggestion that a history of the various articles of the Declaration might be compiled on the basis of the summary records of the preparatory bodies, and expressed the view that such a compilation would fill a long-felt need, others expressed the view that such a publication was not needed and might not be of interest to readers throughout the world.

83. Several members of the Committee expressed the view that the publication of a history of the Declaration should be postponed until the findings of the 1968 review conference were known. One member proposed that only a brief popular history of the Declaration should be envisaged, for wide circulation among the general public, and that, in addition, the United Nations should prepare and publish a report on the situation of human rights throughout the world in 1967. Such a report, in the view of that member, should contain: an introduction explaining its scope and setting out the general trends in the field of human rights observed during the period 1945-1967; a legal section indicating important material having a bearing on human rights to be found in constitutions, laws, and judicial decisions, which the authors could cull from the Yearbook on Human Rights; a section on education and the dissemination of the principles of the Declaration, describing the efforts made in schools, universities and other educational institutions and the use of information media; and a section on the activities of the United Nations and the specialized agencies in the field of human rights, which could be compiled by the Secretariat of the United Nations and of the agencies concerned.

83 (a). Some members suggested that the Committee might recommend to the Commission that it should appeal to independent scholars, universities, and other scientific institutions to prepare and to publish books relating to the Universal Declaration of Human Rights and to other United Nations instruments in this field. Other members pointed out that such activities were already under way, and that several privately prepared histories or commentaries on the Declaration had been published and were available on a limited scale.

83 (b). At the thirty-first meeting of the Committee, the representatives of Argentina and Ecuador jointly proposed a text (ST/SG/AC.5/L.6), for inclusion in the Committee's report, which read as follows:

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"The Committee discussed the suggestion contained in Economic and Social Council resolution 940 (XXXV) that the United Nations should 'consider, in connexion with arrangements for the twentieth anniversary of the adoption of the Declaration in 1968, the preparation and publication of a history of the Declaration and other international instruments on human rights, with special reference to progress already achieved, current endeavours and work remaining to be done in the field of human rights and with a brief and objective account of the role of the United Nations in the process of decolonization'.

"Bearing in mind the objectives laid down in General Assembly resolution 1961 (XVIII) and resolution 6 (XX) of the Commission on Human Rights, and with a view to making a positive response to the suggestion of the Economic and Social Council, the Committee recommends the following:

"1. The United Nations would publish a short 'History of the Universal Declaration of Human Rights and other instruments on human rights' as a brochure available to the general public, schools, institutions, etc., which would be disseminated as widely as possible. The form and content of the brochure would be decided upon later.

"2. The United Nations would publish, in collaboration with the specialized agencies concerned, a 'World Report on Human Rights, 1967'. This report would review the development of efforts to secure full respect for human rights in the national sphere and the progress achieved during the period 1945-1967. It would also contain an account of the work done by the United Nations and the specialized agencies, and a general appraisal of it. The document would be prepared by the Secretariats of the United Nations and the specialized agencies concerned.

"The report would comprise the following sections:

"(a) Introduction: in which the scope of the report and the general trends observed during the period 1945-1967 would be explained;

"(b) Juridical section: in which there would be general references to the inclusion of human rights provisions in constitutions and laws, and to important legal decisions on human rights;

"(c) A section devoted to education and the dissemination of the principles of the Universal Declaration: in which an account would be given of the efforts made through teaching in primary and secondary schools, universities, special courses, the use of information media, etc.;

"(d) A section devoted to the activities of the United Nations and the specialized agencies concerned (UNESCO, ILO, WHO, FAO) in the field of human rights.

"3. The question of what still remains to be done with regard to human rights and possible supplementary measures, and the appraisals, should be left to the experts who will prepare the technical studies for submission to the international meeting in 1968."

200. With regard to paragraph 1 of the joint proposal, the representative of the United Nations Office of Public Information stated that the Office planned to publish, for distribution in connexion with the observance of the International Year for Human Rights, revised and up-to-date editions of two publications relating to the Universal Declaration of Human Rights: United Nations Work for Human Rights and The Universal Declaration of Human Rights: A Standard of Achievement. He added that the Office also hoped to bring out, in collaboration with the Division of Human Rights and the interested specialized agencies, a booklet based entirely on the theme of the International Year. These publications would include, in a popular form, a short history of the Universal Declaration of Human Rights and other international instruments in this field.

201. With regard to paragraph 2 of the joint proposal, there was considerable discussion in the Committee. It was pointed out that in certain respects the report envisaged in that paragraph was not as comprehensive as the one which the Economic and Social Council had envisaged in resolution 940 (XXXV); in particular, the joint proposal did not refer to the implementation of the provisions of the Universal Declaration of Human Rights and other instruments in this field, and did not include any mention of a history of the activities of the United Nations with reference to decolonization.

202. The representatives of India, Ghana, Guatemala, and the Union of Soviet Socialist Republics pointed out that the proposed world report on human rights should contain a section devoted to decolonization; and remarked that decolonization was one of the most important aspects of the work of the United Nations in the field of human rights. The sponsors of the joint text had no objection to adding an appropriate reference to the work of the United Nations in decolonization to paragraph 2.

203. Some members of the Committee expressed the view that the proposed world report on human rights would, to a certain extent at least, duplicate the preparatory work for the international conference on human rights, and indicated their preference for the work of preparing the report to be undertaken by experts rather than by members of the Secretariat. Other members stated, however, that in their view the Secretary-General would experience no difficulty in preparing

the report, which would be technical in nature, would avoid critical appraisals of the activities of Governments, and would not require any value judgements with reference to the substance of national legislation.

204. Some members objected to the proposed report on the ground that its cost would not be justifiable. In this connexion, however, it was pointed out that a summary of the financial implications of the proposal was not available.

205. While paragraph 3 of the joint proposal was supported by some members of the Committee, others proposed that it should be deleted as unnecessary.

206. At the end of the discussion, the Committee decided to make no recommendations to the Commission on Human Rights with regard to the preparation of a history of the Universal Declaration and it agreed on the suggestion put forward by the representative of the United States to include the proposed text of Argentina and Ecuador in the Committee's report, as well as the views expressed by members on this matter, in order that the Commission on Human Rights might consider the matter further after all the necessary information was at hand. In this regard, the Committee also agreed to the suggestion of the representative of the Netherlands that the Secretary-General should be requested to present a more detailed statement on the financial implications concerning the matters under consideration.